

STATEMENT OF
CHAIRMAN THOMAS E. PETRI
HIGHWAY, TRANSIT AND PIPELINES SUBCOMMITTEE
HEARING ON
“CURBSIDE OPERATORS”: BUS SAFETY AND ADA REGULATORY
COMPLIANCE
MARCH 2, 2006

The purpose of today’s hearing is to learn more about the Curbside Operator industry and to determine if there are safety violations and Americans with Disabilities Act, or ADA, violations.

If there are, we want to hear about the extent of those violations and what can be done to bring these carriers into compliance with the law.

Recently, there has been a lot of attention in the media about Curbside Operators and whether they comply with federal law and regulations.

For those who are not familiar with Curbside Operators, they are low-fare interstate buses that pick up and drop off passengers on the street rather than in traditional bus terminals.

They are also referred to as “Chinatown Buses” because they originally served the Northeast Asian communities by transporting restaurant workers from one Chinatown to another city’s Chinatown.

The Curbside Operators now have expanded beyond their original routes and passengers and service the entire Eastern Seaboard, from Boston, to Albany, to Philadelphia, to Richmond, Virginia.

They have also expanded their passenger base to include professionals, students, and tourists.

In recent media reports, passengers of Curbside Operators have questioned whether these buses are safe to transport people.

Bus fires along the interstates and horror stories of buses breaking down on the side of the road leaving passengers stranded for hours are rampant in the news and among the traveling public.

Passengers and other interstate users have asked the government to ensure these buses are safe.

Unfortunately, they have not been given a straight answer as to whether they are safe and complying with the law.

However, these Curbside Operators have piqued the government's interest enough to warrant a week-long safety inspection crackdown in the Northeast.

In late October, federal, state, and local authorities teamed up to inspect buses in Massachusetts, Connecticut, New York, Pennsylvania, and Maryland.

The "Northeast Passenger Carrier Strikeforce," as it became known, performed over 400 safety inspections on buses and uncovered over 500 safety-related violations.

As a result, 56 buses and 13 drivers were placed out of service.

FMCSA followed up on the inspection sweep in December by performing Compliance Reviews on 14 Curbside Operators.

The federal inspectors found 176 safety-related violations and 11 of these 14 carriers had violated the ADA.

Besides questioning the safety of this industry, the media has reported blatant non-compliance with the ADA.

In the winter of 2004, a Boston couple attempted to board a Curbside Operator with their seeing-eye dog, only to be turned away due to their "no animal" policy.

But when they agreed to leave the dog at home, they were turned away again.

The operator refused the sale a second time because it claimed they could not take responsibility for transporting a visually disabled person without any visual aids, like a seeing-eye dog.

The Attorney General of Massachusetts investigated the situation and found sufficient evidence to file suit against this Curbside Operator, claiming the company intentionally ignored the state's disability access laws.

Today, we have three panels of witnesses.

The first panel is the Administrator from the agency that regulates interstate buses, the Federal Motor Carrier Safety Administration or FMCSA.

On our second panel, we have representatives from groups who have an interest in interstate bus activity.

Finally, we will hear from owners whose operations seem to be representative of the issues we are examining today.

We look forward to hearing testimony from all of our witnesses.